

Minutes of the Town Board Meeting  
of the  
Riverhead Town Board

Meeting held at Riverhead Town Hall, 200 Howell  
Avenue, Riverhead, New York, on Tuesday, July 16,  
2013, at 7:00 p.m.

MEMBERS PRESENT:

Sean Walter,	Supervisor
John Dunleavy,	Councilman
George Gabrielsen,	Councilman
Jodi Giglio,	Councilwoman
James Wooten,	Councilman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney



ORIGINAL

1           (Whereupon, the meeting was opened at  
2           7:00p.m. by Supervisor Walter with the Pledge  
3           of Allegiance, and Invocation was given by  
4           the Salvation Army.)

5           (Marjorie Acevedo Received an Award, with the  
6           following presentation:)

7           SUPERVISOR WALTER: It's a pleasure to award  
8           you with a plaque for your 25 years of service of  
9           the Board of Assessment Review.

10          And one of the things that I want to say is  
11          that Councilman Wooten has something he wants to  
12          read from the Board of Assessors.

13          It is interesting in politics how things work  
14          out. And it's a little troublesome, I think, that  
15          we, as elected officials and appointed officials,  
16          have to be held to a higher standard, and you  
17          really exemplified that higher standard.

18          Unfortunately, Marge, for those of you that  
19          don't know, she had to leave the Board of  
20          Assessment Review because she took on a larger role  
21          as Chairman of the Democratic Party. And so I  
22          think -- I commend you for that.

23          But one of the things that I want to say, in  
24          reflecting on the last couple of weeks, is I  
25          realize that it is problematic that -- either that

1   elected officials serve on various Boards that  
2   could be construed as politically influential.   And  
3   so I'm going to be introducing on Thursday  
4   legislation to the Town Board, they don't know  
5   about it, something we've been working on the last  
6   couple of days, that would be a bar from elected  
7   officials to serve on certain Boards, like the  
8   Board of Assessment Review, being an elected  
9   official on an Executive Committee to the  
10   Republican, Conservative or Independence Party,  
11   because you exemplify what it meant to be fair and  
12   impartial.   And I want to remove all doubt from  
13   this Town, such as Brookhaven has done, that does  
14   not allow anybody that is in positions like you  
15   held to be a member of an Executive Committee of a  
16   political party.

17           MS. ACEVEDO:   Well, I have to say that I was  
18   also on the Ethics Board when it was first formed,  
19   and when we put the Ethics Rulings together, one of  
20   the standards was that we would not have anybody  
21   serve on an Executive Board, or a Zoning Board, or  
22   a Board of Assessment Review.   And I was on the  
23   Executive Board at the time, so I chose to step  
24   down and continue my service on the Board of  
25   Assessment Review.

1           So I think it's wonderful now that you're  
2   including elected officials. I mean, they  
3   generally don't serve on --

4           SUPERVISOR WALTER: We have to do that.

5           MS. ACEVEDO: -- Zoning Boards, but I think  
6   it's a good start into showing that you are fair as  
7   a Board.

8           COUNCILWOMAN GIGLIO: But more importantly,  
9   your 25 years of service to the taxpayers of this  
10   Town for representing us, and for fighting for us,  
11   and fighting for our assessments, and making sure  
12   that everybody is where they should be, and if not,  
13   that we get them there. So thank you for that.

14          MS. ACEVEDO: I did try. And I will say  
15   this: I've gone through, and I'm going to include  
16   Mr. Kozakiewicz in this, I've gone through Jimmy  
17   Stark -- I'm sorry. Joe Janoski, Jimmy Stark, Bob  
18   Kozakiewicz, Vinny Villella, and Phil Cardinale,  
19   and now you, and I've been reappointed by all of  
20   them, so it does say something for, you know,  
21   having bipartisan --

22          COUNCILWOMAN GIGLIO: Yes.

23          SUPERVISOR WALTER: Absolutely.

24          MS. ACEVEDO: -- politics, so --

25          SUPERVISOR WALTER: So we are going to

1 continue. Hopefully, the Board will follow this by  
2 lead here on doing what we've said. And I thank  
3 you for your service.

4 Councilman Wooten has something to read.

5 COUNCILMAN WOOTEN: Sure

6 SUPERVISOR WALTER: Oh, hold up. Councilman  
7 Wooten has something to read, and we'll invite  
8 Angela DeVito, because she's holding flowers up  
9 from the Assessors --

10 COUNCILMAN WOOTEN: For me? For me?

11 SUPERVISOR WALTER: No, not you.

12 COUNCILMAN WOOTEN: Oh.

13 SUPERVISOR WALTER: You don't get flowers.

14 COUNCILMAN WOOTEN: Just reading this, I get  
15 flowers.

16 (Laughter)

17 Actually this is from the Board of Assessors.  
18 It says, well, "We have had the pleasure of working  
19 with Marge Acevedo, one of us from the first year  
20 she was appointed to the Board of Assessment Review  
21 until her resignation earlier this year.

22 Marge always carried herself professionally  
23 and was courteous to all taxpayers who appeared  
24 before her Board. She exhibited patience and  
25 understanding to those who may have found the

1 grievance process to be a little overwhelming or  
2 intimidating.

3           Together, we have seen the changes this Town  
4    had undergone in the last two decades, and how it  
5    affected the workload that the Board of Assessors  
6    and the Board of Assessment Review were  
7    constitutionally charged with. Through technology,  
8    organization, and sheer determination, we managed  
9    to get through the piles of paper in the short  
10   amount of time allotted by law.

11           While we can't be there in person as she  
12   receives this recognition, we want to wish her all  
13   the best in her future, and we join the Town Board  
14   in thanking her for her many years of dedicated  
15   public service."

16 MS. ACEVEDO: Thank you.

17 (Applause)

18 MS. DEVITO: As a resident of this Town, it  
19 makes me proud.

20 SUPERVISOR WALTER: Oh, stop. As Supervisor  
21 of the Town.

22 (Laughter)

23 Marge, thank you very much.

24 (Applause)

25 MS. ACEVEDO: I just want to say that we

1 started out -- when I first came on the Board, we  
2 had about 300 and something grievances. When I  
3 left the Board, we were up to about 18,000. So  
4 with three people and only making a \$1,000 stipend  
5 for all the time and effort that these people put  
6 in, they all need to be recognized for their  
7 effort, that they're on the Board of Assessment  
8 Review. So thank you.

9 (Applause)

10 SUPERVISOR WALTER: We're going to pose for a  
11 photo with you, Marge. I don't know. Do you feel  
12 uncomfortable with all these Republicans?

13 MS. ACEVEDO: I sure do. Hey, I can boom,  
14 boom, boom, one, two, three.

15 SUPERVISOR WALTER: I don't doubt that at  
16 all.

17 (Laughter)

18 (Photograph was Taken)

19 SUPERVISOR WALTER: All right. Marge, Thank  
20 you very much.

21 MS. ACEVEDO: Thank you.

22 SUPERVISOR WALTER: Take care.

23 (Applause)

24 All right. Just so people understand, we're  
25 going to do things a little bit differently today

1 because we have the Scoping Hearing. So, as soon  
2 as we go through the preliminary agenda, we're  
3 going to go take comments on resolutions only,  
4 adopt the resolutions, and at 7:30, we're going to  
5 open the Scoping Meeting. So, that being said,  
6 John.

7 COUNCILMAN DUNLEAVY: I make a motion that we  
8 approve the minutes of the Town Board meeting of  
9 July 2nd, 2013. So moved.

10 COUNCILMAN GABRIELSEN: And seconded.

11 SUPERVISOR WALTER: All in favor? Sorry, go  
12 ahead.

13 MS. WILHELM: All set?

14 SUPERVISOR WALTER: I moved and seconded,  
15 yes. Go ahead.

16 MS. WILHELM: Oh, you want me to call it?

17 SUPERVISOR WALTER: You should call the vote,  
18 not me.

19 MS. WILHELM: Sure.

20 (Roll Call Vote by Town Clerk)

21 COUNCILWOMAN GIGLIO: Yes.

22 COUNCILMAN GABRIELSEN: Yes.

23 COUNCILMAN WOOTEN: Yes.

24 COUNCILMAN DUNLEAVY: Yes.

25 SUPERVISOR WALTER: Yes.



1 MS. WILHELM: The minutes are approved.

2 SUPERVISOR WALTER: Okay, Diane.

3 MS. WILHELM: Okay. Under Applications,  
4 pending Town Board approval, submitted as a special  
5 event, Apple Honda Used Car Tent Sale, at 1375 Old  
6 County Road in Riverhead, August 14th through  
7 September 11th.

8 Under Correspondence, from the Central Pine  
9 Barrens Commission, a letter offering comments on  
10 the Draft Scope for EPCAL.

11 Under Reports, Tax Receiver, total tax  
12 collection to date as of July 5th, \$130,408,721.58.

13 Tax Receiver, Monthly Utility Collection  
14 Report for June, \$335,643.89.

15 Town Clerk, Monthly Report for June,  
16 \$7,401.08.

17 Sanitation Department submitted their Recycle  
18 Fund for the Second Quarter, 2013.

19 Fire Department Information: The Riverhead  
20 Fire District submitted their 2012 Auditors and  
21 Financial Statement Reports, and also did  
22 Manorville Fire District. And that's it.

23 SUPERVISOR WALTER: Okay. Are there any  
24 other reports, committee reports? Not seeing  
25 anything, I'm going to now open up for public

1 comment on resolutions.

2 Sal, how did we do? You got right up there,  
3 front and center.

4 MR. MASTROPAOLO: Sal Mastropaolo, Calverton.

5 Resolution #554, the first question is how  
6 much are we talking about?

7 The second question is how come you didn't go  
8 to the Town Attorney or the Personnel Manager for  
9 advice, rather than an outside law firm?

10 SUPERVISOR WALTER: What's happened here is  
11 the Highway Superintendant was being sued, and I  
12 believe he was being sued personally. He was  
13 entitled to legal fees -- not legal fees. He was  
14 entitled to appoint -- for us to appoint counsel to  
15 act in his stead. That counsel might have went a  
16 little bit further in what they've researched, but,  
17 legally, it's our obligation to pay him, and this  
18 was outside the scope of the original retainer  
19 agreement. And as it is our obligation to pay the  
20 lawyer, we're paying him. And I believe Anne  
21 Marie, if I'm not mistaken, it's about 3500?

22 MS. PRUDENTI: Correct.

23 SUPERVISOR WALTER: Okay.

24 MR. MASTROPAOLO: Okay. 555, the one, two,  
25 three, four, the fifth Whereas, C, there's

1 something missing at the end. Is there another  
2 sentence, or is just -- is there just an extra word  
3 there?

4 SUPERVISOR WALTER: One second. "The" needs  
5 to come out. All right. Can we pull "the" out; is  
6 that correct?

7 MR. KOZAKIEWICZ: Yeah.

8 SUPERVISOR WALTER: Chris, just take a look  
9 at 555, C.

10 What else you got?

11 MR. MASTROPAOLO: 556. On Page 6 of the RFP,  
12 it's not really clear whether you're just looking  
13 for an RFP for CCTV to just record it, or if you're  
14 looking for something realtime, okay, monitoring  
15 and dispatch of security and/or police. And I  
16 think that should be clear in the RFP. I mean, are  
17 you just looking to record everything and go back  
18 to it some time later on?

19 SUPERVISOR WALTER: Just looking to record  
20 it.

21 MR. MASTROPAOLO: Okay. So it's -- you're  
22 not looking for realtime active response?

23 SUPERVISOR WALTER: No.

24 MR. MASTROPAOLO: Okay. That's it. Thank  
25 you.

1 SUPERVISOR WALTER: All right. Thank you.

2 Does anybody else wish to be heard on the  
3 resolutions?

4 (No Response)

5 Not seeing anybody, Diane?

6 MS. WILHELM: Should we do CDA?

7 SUPERVISOR WALTER: CDA, oh, yes. Chris.

8 COUNCILMAN DUNLEAVY: I'd like to close the  
9 Town Board meeting and open up the Community  
10 Development Agency meeting. So moved.

11 COUNCILMAN WOOTEN: I'll second.

12 SUPERVISOR WALTER: Moved and seconded.

13 Vote, please.

14 (Roll Call Vote by Ms. Kempner)

15 COUNCILWOMAN GIGLIO: Yes.

16 COUNCILMAN GABRIELSEN: Yes.

17 COUNCILMAN WOOTEN: Yes.

18 COUNCILMAN DUNLEAVY: Yes.

19 SUPERVISOR WALTER: Yes.

20 (Community Development Agency Convened)

21 COUNCILMAN DUNLEAVY: I'd like to make a motion we  
22 close the CDA meeting and reopen the Town Board  
23 meeting. So moved.

24 COUNCILMAN WOOTEN: And I'll second it.

25 SUPERVISOR WALTER: Moved and seconded.

1 Vote, please.

2 (Roll Call Vote by Town Clerk)

3 COUNCILWOMAN GIGLIO: Yes.

4 COUNCILMAN GABRIELSEN: Yes.

5 COUNCILMAN WOOTEN: Yes.

6 COUNCILMAN DUNLEAVY: Yes.

7 SUPERVISOR WALTER: Yes.

8 MS. WILHELM: The Town Board meeting is now  
9 reopened.

10 SUPERVISOR WALTER: All right.

11 MS. WILHELM: And we'll start with Resolution 549.

12 COUNCILMAN WOOTEN: 549, Riverhead Sewer

13 Budget Adjustment. So moved.

14 COUNCILMAN GABRIELSEN: And seconded.

15 SUPERVISOR WALTER: Moved and seconded.

16 Vote, please.

17 (Roll Call Vote by Town Clerk)

18 COUNCILWOMAN GIGLIO: Yes.

19 COUNCILMAN GABRIELSEN: Yes.

20 COUNCILMAN WOOTEN: Yes.

21 COUNCILMAN DUNLEAVY: Yes.

22 SUPERVISOR WALTER: Yes.

23 MS. WILHELM: Resolution adopted.

24 Resolution 550.

25 COUNCILMAN GABRIELSEN: Authorizes

1 Publication of Help Wanted Advertisement for a  
2 Senior Building Inspector. So moved.

3 COUNCILWOMAN GIGLIO: And seconded.

4 SUPERVISOR WALTER: Moved and seconded.

5 Vote, please.

6 (Roll Call Vote by Town Clerk)

7 COUNCILWOMAN GIGLIO: Yes.

8 COUNCILMAN GABRIELSEN: Yes.

9 COUNCILMAN WOOTEN: Yes.

10 COUNCILMAN DUNLEAVY: I took a hard look at  
11 this. We hired a person to take command of both  
12 Departments, the Planning and the Building  
13 Inspector -- Building Department. We're paying him  
14 a good salary. Now we want to hire someone and pay  
15 them \$100,000 to take over the Building Department.  
16 And I just can't see relating back to our  
17 taxpayers, and say, "We wanted to save money, we're  
18 not saving money, we're going to put another  
19 \$100,000 on your backs." So I have to vote no.

20 (Roll Call Vote Continued by Town Clerk)

21 SUPERVISOR WALTER: I just want to clarify  
22 something, John.

23 COUNCILMAN DUNLEAVY: Yes.

24 SUPERVISOR WALTER: Our Building Inspector,  
25 Sharon Klos, retired. We brought her back

1 part-time, and she's leaving in October. So we're  
2 just kind of filling the Building Inspector's  
3 position that left, not to take over the  
4 Department.

5 COUNCILMAN DUNLEAVY: Well, I -- yes.

6 SUPERVISOR WALTER: Not to take over the  
7 Department.

8 COUNCILMAN DUNLEAVY: We're only paying her a  
9 portion.

10 COUNCILMAN WOOTEN: She's part time.

11 COUNCILMAN DUNLEAVY: And she would stay on  
12 if we asked her to stay on. We're only paying her  
13 a portion of what this -- this applicant, whoever  
14 it is, male or female --

15 SUPERVISOR WALTER: That is correct.

16 COUNCILMAN DUNLEAVY: -- going to make.

17 SUPERVISOR WALTER: That is correct.

18 COUNCILMAN DUNLEAVY: So, again --

19 SUPERVISOR WALTER: Okay

20 COUNCILMAN DUNLEAVY: -- we're putting it on  
21 our taxpayers.

22 SUPERVISOR WALTER: I understand. Diane,  
23 yes.

24 MS. WILHELM: Yes, so resolution adopted.

25 Resolution 551.

1 COUNCILWOMAN GIGLIO: Appoints a Seasonal  
2 Lifeguard to the Recreation Department (Christopher  
3 Bagshaw). So moved.

4 COUNCILMAN DUNLEAVY: And seconded.

5 SUPERVISOR WALTER: Moved and seconded.

6 Vote, please.

7 (Roll Call Vote by Town Clerk)

8 COUNCILWOMAN GIGLIO: Yes.

9 COUNCILMAN GABRIELSEN: Yes.

10 COUNCILMAN WOOTEN: Yes.

11 COUNCILMAN DUNLEAVY: Yes.

12 SUPERVISOR WALTER: Yes.

13 MS. WILHELM: Resolution adopted.

14 Resolution 552.

15 COUNCILMAN DUNLEAVY: Ratifies the  
16 Appointment of a Park Attendant II to the  
17 Recreation Department (I) (Benjamin Miller). So  
18 moved.

19 COUNCILMAN WOOTEN: Second.

20 SUPERVISOR WALTER: Moved and seconded.

21 Vote, please.

22 (Roll Call Vote by Town Clerk)

23 COUNCILWOMAN GIGLIO: Yes.

24 COUNCILMAN GABRIELSEN: Yes.

25 COUNCILMAN WOOTEN: Yes.



1 COUNCILMAN DUNLEAVY: Yes.

2 SUPERVISOR WALTER: Yes.

3 MS. WILHELM: Resolution adopted.

4 Resolution 553.

5 COUNCILMAN WOOTEN: This Approves the Chapter

6 90 Application of Apple Honda for August 14, 2013

7 through September 11, 2013. So moved.

8 COUNCILMAN GABRIELSEN: And seconded.

9 SUPERVISOR WALTER: Moved and seconded.

10 Vote, please.

11 (Roll Call Vote by Town Clerk)

12 COUNCILWOMAN GIGLIO: Yes.

13 COUNCILMAN GABRIELSEN: Yes.

14 COUNCILMAN WOOTEN: Yes.

15 COUNCILMAN DUNLEAVY: Yes.

16 SUPERVISOR WALTER: Yes.

17 MS. WILHELM: Resolution adopted.

18 Resolution 554.

19 COUNCILMAN GABRIELSEN: Approves Appointment

20 and Payment of Legal Fees Nunc Pro Tunc Related to

21 Highway Superintendent's Authority for Personnel

22 Matters Rendered by Bee Ready Fishbein Hatter &

23 Donovan, LLP Between January 1st, 2013 and June

24 1st, 2013. So moved.

25 COUNCILWOMAN GIGLIO: And seconded.

1 SUPERVISOR WALTER: Moved and seconded.

2 Vote, please.

3 (Roll Call Vote by Town Clerk)

4 COUNCILWOMAN GIGLIO: Yes.

5 COUNCILMAN GABRIELSEN: Yes.

6 COUNCILMAN WOOTEN: Yes.

7 COUNCILMAN DUNLEAVY: Yes.

8 SUPERVISOR WALTER: Yes.

9 MS. WILHELM: Resolution adopted.

10 Resolution 555.

11 COUNCILMAN GABRIELSEN: Supports Town of  
12 Riverhead Application to New York State Department  
13 of Transportation for Transportation Enhancement  
14 Reimbursement Funding to Support EPCAL  
15 Bicycle/Pedestrian Path. So moved.

16 COUNCILWOMAN GIGLIO: And seconded.

17 SUPERVISOR WALTER: As amended with the "the"  
18 out. Moved and seconded as amended.

19 (Roll Call Vote by Town Clerk)

20 COUNCILWOMAN GIGLIO: Yes.

21 COUNCILMAN GABRIELSEN: Yes.

22 COUNCILMAN WOOTEN: Yes.

23 COUNCILMAN DUNLEAVY: Yes.

24 SUPERVISOR WALTER: No.

25 MS. WILHELM: Resolution adopted.

1 Resolution 556.

2 COUNCILMAN DUNLEAVY: Authorization to  
3 Publish Advertisement for a Request for Proposals  
4 for the installation of a Closed Circuit Television  
5 Security System, CCTV, in Designated Locations  
6 within the Town of Riverhead Parking District. So  
7 moved

8 COUNCILMAN WOOTEN: I'll second.

9 SUPERVISOR WALTER: Moved and seconded.  
10 Vote, please.

11 (Roll Call Vote by Town Clerk)

12 COUNCILWOMAN GIGLIO: Yes.

13 COUNCILMAN GABRIELSEN: Yes.

14 COUNCILMAN WOOTEN: Yes.

15 COUNCILMAN DUNLEAVY: Yes.

16 SUPERVISOR WALTER: Yes.

17 MS. WILHELM: Resolution adopted.

18 Resolution 557.

19 COUNCILMAN WOOTEN: 557 Approves Chapter 90  
20 Application of the Cystic Fibrosis Foundation  
21 Greater New York Chapter, for the "Aptalis CF Cycle  
22 for Life" - Saturday, October 5th, 2013. So moved.

23 COUNCILMAN GABRIELSEN: And seconded.

24 SUPERVISOR WALTER: Moved and seconded.

25 Vote, please.

1 (Roll Call Vote by Town Clerk)

2 COUNCILWOMAN GIGLIO: Yes.

3 COUNCILMAN GABRIELSEN: Yes.

4 COUNCILMAN WOOTEN: Yes.

5 COUNCILMAN DUNLEAVY: Yes.

6 SUPERVISOR WALTER: Yes.

7 MS. WILHELM: Resolution adopted.

8 Resolution 558.

9 COUNCILMAN GABRIELSEN: Wait a second.

10 Weren't we going to look into what's happening up  
11 there, or is that going to be after the fact?

12 SUPERVISOR WALTER: Yeah.

13 COUNCILMAN GABRIELSEN: I think it's too  
14 late.

15 SUPERVISOR WALTER: It's too late, and I --  
16 we're coordinating a meeting as we speak.

17 COUNCILMAN GABRIELSEN: Moving forward.

18 SUPERVISOR WALTER: Do you want to sit in on  
19 that meeting?

20 COUNCILMAN GABRIELSEN: I would like to sit  
21 in.

22 SUPERVISOR WALTER: Okay. Jill, George would  
23 like to sit in on that meeting we're coordinating.

24 MS. LEWIS: Okay.

25 COUNCILMAN GABRIELSEN: Okay. (558) Approve

1 Chapter 90 Application of Native Events Inc.,  
2 that's the Country Fest, July 27th and 28th, 2013.  
3 So moved.

4 COUNCILWOMAN GIGLIO: And seconded.

5 SUPERVISOR WALTER: Moved and seconded.  
6 Vote, please.

7 (Roll Call Vote by Town Clerk)

8 COUNCILWOMAN GIGLIO: I just want to ask, in  
9 this resolution, it says that by Friday, July 12th,  
10 they were going to submit the adequate insurance.  
11 Did they do that?

12 MR. KOZAKIEWICZ: I can't say for certain.  
13 It came to Laura's attention and I don't recall  
14 seeing that.

15 SUPERVISOR WALTER: And if they didn't do it,  
16 they won't have alcohol.

17 COUNCILWOMAN GIGLIO: Okay. Well, then I  
18 would vote yes if they have submitted the proper  
19 insurance, and no, if they haven't.

20 AUDIENCE MEMBER: They had to have.

21 COUNCILWOMAN GIGLIO: They have?

22 AUDIENCE MEMBER: Yeah, they did.

23 COUNCILMAN GABRIELSEN: Okay. I know I  
24 didn't see it, I can't say. Okay.

25 (Roll Call Vote Continued by Town Clerk)

1 COUNCILMAN GABRIELSEN: Yes.

2 COUNCILMAN WOOTEN: Yes.

3 COUNCILMAN DUNLEAVY: Yes.

4 SUPERVISOR WALTER: Yes.

5 MS. WILHELM: Resolution adopted.

6 Resolution 559.

7 COUNCILWOMAN GIGLIO: Approves Chapter 90

8 Application of Riverhead Foundation for Marine

9 Research and Preservation, the 5K Run for the

10 Ridley - October 26, 2013. So moved.

11 COUNCILMAN DUNLEAVY: And seconded

12 SUPERVISOR WALTER: Moved and seconded.

13 Vote, please.

14 (Roll Call Vote by Town Clerk)

15 COUNCILWOMAN GIGLIO: Yes.

16 COUNCILMAN GABRIELSEN: Yes.

17 COUNCILMAN WOOTEN: Yes.

18 COUNCILMAN DUNLEAVY: Yes.

19 SUPERVISOR WALTER: Yes.

20 MS. WILHELM: Resolution adopted.

21 Resolution 560.

22 COUNCILMAN DUNLEAVY: Ratifies the

23 Appointment of an Assistant Recreation Leader II to

24 the Recreation Department (Nicholette Gebhardt).

25 So moved.

1 COUNCILMAN WOOTEN: Second.

2 SUPERVISOR WALTER: Moved and seconded.

3 Vote, please.

4 (Roll Call Vote by Town Clerk)

5 COUNCILWOMAN GIGLIO: Yes.

6 COUNCILMAN GABRIELSEN: Yes.

7 COUNCILMAN WOOTEN: Yes.

8 COUNCILMAN DUNLEAVY: Yes.

9 SUPERVISOR WALTER: Yes.

10 MS. WILHELM: Resolution adopted.

11 Resolution 561.

12 COUNCILMAN WOOTEN: This Authorizes the  
13 Supervisor to Appoint a Petty Cash Holder, whoever  
14 that is, for the Building Department (Jefferson  
15 Murphree). So moved.

16 SUPERVISOR WALTER: It's Jim.

17 COUNCILMAN WOOTEN: Okay.

18 COUNCILMAN GABRIELSEN: I second it.

19 SUPERVISOR WALTER: Moved and seconded.

20 Vote, please.

21 (Roll Call Vote by Town Clerk)

22 COUNCILWOMAN GIGLIO: Is there an amount of  
23 the petty cash that they're able to keep within  
24 that department?

25 AUDIENCE MEMBER: Usually \$100.

1 COUNCILWOMAN GIGLIO: A hundred?

2 AUDIENCE MEMBER: This was already  
3 established in Leroy's name, but it was never  
4 changed over when he left. And it was  
5 recognized -- actually, it was last week. We could  
6 double check on it, the \$100.

7 COUNCILWOMAN GIGLIO: Okay. As long as it's  
8 limited.

9 (Roll Call Vote Continued by Town Clerk)

10 COUNCILWOMAN GIGLIO: Yes.

11 COUNCILMAN GABRIELSEN: Yes

12 COUNCILMAN WOOTEN: Yeah.

13 COUNCILMAN DUNLEAVY: Yes.

14 SUPERVISOR WALTER: Yes

15 MS. WILHELM: Resolution adopted.

16 Resolution 562.

17 COUNCILMAN GABRIELSEN: Adopts a Local Law  
18 Amending Chapter 62 Entitled "Excavations" of the  
19 Riverhead Town Code. So moved.

20 COUNCILWOMAN GIGLIO: And seconded.

21 SUPERVISOR WALTER: Moved and seconded.

22 Vote, please.

23 (Roll Call Vote by Town Clerk)

24 COUNCILWOMAN GIGLIO: Yes.

25 COUNCILMAN GABRIELSEN: Yes.



1 COUNCILMAN WOOTEN: Yes.

2 COUNCILMAN DUNLEAVY: Again, I think this  
3 puts an added burden on our farmers for them to try  
4 to grade the land, and then two of -- this section  
5 says shall not change the natural grade, or slope,  
6 or natural drainage existing on the subject  
7 property prior to the above-described activity.  
8 So, if they want to grade a hill down, they  
9 couldn't change --

10 COUNCILMAN GABRIELSEN: Well, John, that's  
11 not correct.

12 MR. KOZAKIEWICZ: They're going to bring the  
13 material all in. That's not if they're just moving  
14 the soils around.

15 SUPERVISOR WALTER: Yeah, they move soils  
16 around.

17 COUNCILMAN GABRIELSEN: It's under the  
18 part -- right, when you're seeking to remove soil  
19 from the site.

20 SUPERVISOR WALTER: Right.

21 COUNCILMAN GABRIELSEN: Okay? So, if it's on  
22 the site, the farmer can move it around. It's just  
23 when you're removing off the site.

24 SUPERVISOR WALTER: Correct. And this has  
25 been vetted through Farm Bureau and through --

1 COUNCILMAN GABRIELSEN: Right.

2 SUPERVISOR WALTER: It has been vetted.

3 COUNCILMAN GABRIELSEN: I agree, John. I  
4 first picked up that same point at Work Session.  
5 I'm like, "Wait a minute." But then, if you go  
6 back, you'll see it's only when they're saying  
7 remove soil --

8 COUNCILMAN DUNLEAVY: Well, it says,  
9 "Provide" -- "removal of soil shall be limited to  
10 the amount of material necessary to plant and  
11 harvest crops," and two, "Shall not change" --

12 COUNCILMAN WOOTEN: Right

13 COUNCILMAN DUNLEAVY: So they're talking  
14 about that removal of soil.

15 COUNCILMAN GABRIELSEN: Correct, removing  
16 from the site.

17 COUNCILMAN DUNLEAVY: But not changing the  
18 grade.

19 COUNCILMAN GABRIELSEN: Right.

20 COUNCILMAN DUNLEAVY: Okay.

21 COUNCILMAN GABRIELSEN: But on site, he's  
22 good, the farmer can move stuff around.

23 (Roll Call Continued by Town Clerk)

24 COUNCILMAN DUNLEAVY: I vote yes, then.

25 SUPERVISOR WALTER: Yes.

1 MS. WILHELM: Resolution adopted.

2 Resolution 563.

3 COUNCILWOMAN GIGLIO: Adopts a Local Law  
4 Amending Chapter 108 Entitled "Zoning" of the  
5 Riverhead Town Code, Article XXVI, Site Plan  
6 Review. So moved.

7 COUNCILMAN DUNLEAVY: And seconded.

8 SUPERVISOR WALTER: Moved and seconded.  
9 Vote, please.

10 (Roll Call Vote by Town Clerk)

11 COUNCILWOMAN GIGLIO: Yes.

12 COUNCILMAN GABRIELSEN: Yes.

13 COUNCILMAN WOOTEN: Yes.

14 COUNCILMAN DUNLEAVY: Yes.

15 SUPERVISOR WALTER: Yes.

16 MS. WILHELM: Resolution adopted.  
17 Resolution 564.

18 COUNCILMAN DUNLEAVY: Pay the Bills. So  
19 moved.

20 COUNCILMAN WOOTEN: Second.

21 SUPERVISOR WALTER: Moved and seconded.  
22 Vote, please.

23 (Roll Call Vote by Town Clerk)

24 COUNCILWOMAN GIGLIO: Yes.

25 COUNCILMAN GABRIELSEN: Yes.

1 COUNCILMAN WOOTEN: Yes.

2 COUNCILMAN DUNLEAVY: Yes.

3 SUPERVISOR WALTER: Yes.

4 MS. WILHELM: Resolution adopted.

5 SUPERVISOR WALTER: Okay. So I'm going to  
6 take public comment for about seven minutes on  
7 anything that anybody wants to discuss with the  
8 Town Board that is on their mind. Does anybody  
9 wish to be heard for the next seven minutes?

10 (No Response)

11 Not seeing anybody, Dominique Mendez. You've  
12 got five minutes to go.

13 MS. MENDEZ: Oh, I will be like 30 seconds,  
14 actually.

15 I just wanted to thank the Town Board for  
16 passing Resolution -- which were they -- 582 and  
17 583, and to deal with some of the land clearing  
18 issues we've had in clearing of trees, and all  
19 that, the Excavation Code. And I think that was  
20 the right thing to do, it was a good move. You're  
21 getting up to speed with some of the other Towns.  
22 And I wanted to thank you on behalf of the RNPC for  
23 that.

24 COUNCILMAN WOOTEN: Thanks.

25 SUPERVISOR WALTER: Thank you. Anybody else

1 wish to be heard today?

2 (No Response)

3 Not seeing anybody, I guess we have five  
4 minutes to spare.

5 COUNCILMAN GABRIELSEN: Don't push it.

6 (Laughter)

7 SUPERVISOR WALTER: Why don't we take a  
8 five-minute recess. Can the Board come back at  
9 exactly 7:30?

10 COUNCILMAN WOOTEN: Yes.

11 SUPERVISOR WALTER: Okay. Five-minute  
12 recess. Thank you.

13 (Whereupon, a recess was taken.)

14 SUPERVISOR WALTER: Please take notice, that  
15 a public Scoping Hearing will be held before the  
16 Town Board of the Town of Riverhead at Town Hall,  
17 200 Howell Avenue, Riverhead, New York, on the 16th  
18 day of July, 2013, at 7:30 on the Draft Scope for  
19 the Draft Supplemental Generic Environmental Impact  
20 Statement supporting the proposed action, to wit:  
21 The creation of a conceptual development plan,  
22 Reuse and Revitalization Plan, including  
23 subdivision referred to as the Alternative  
24 Subdivision Sketch C for Enterprise Park at  
25 Calverton, dated April 26, 2013, of the EPCAL

1 property into 50 lots for ultimate redevelopment  
2 with a mixed use, e.g., businesses, commercial,  
3 retail, industrial, residential, recreation,  
4 utilities, and the retention of a substantial open  
5 space; the amendment to the Town of Riverhead  
6 Comprehensive Plan; the amendment of the zoning  
7 code and zoning map of the Town of Riverhead, and  
8 to rezone 2,323.9 acres of the EPCAL property  
9 consistent with the Reuse and Revitalization Plan  
10 for the property owned by the Community Development  
11 Agency within EPCAL, described as approximately  
12 2,323.9 acres of real property located south of  
13 Middle Country Road, State Route 25, north of  
14 Grumman Boulevard, and east of Wading River Manor  
15 Road, County Road 25, Calverton Hamlet, being more  
16 particularly described as Suffolk County Tax Map  
17 No. 0600-135-1, Lot 7.1,7.2,7.3&7.4.

18 Please take further notice, that the Town  
19 Board shall accept written comments on the Draft  
20 Scope for the Draft Supplemental Generic  
21 Environmental Impact Statement at any time prior to  
22 the hearing and for a period of one week after the  
23 close of the hearing. Please submit all written  
24 comments in a sealed envelope clearly marked  
25 "Comments to EPCAL Reuse and Revitalization Plan

1 Draft Scope of Issues," and all comments must be  
2 received, mailed or hand delivered, to the Office  
3 of the Town Clerk, 200 Howell Avenue, Riverhead,  
4 New York, 11901 on or before July 23rd, 2013, at 12  
5 noon. I hereby open that hearing.

6 I'd like to have Terri Elkowitz, who is with  
7 the firm VHB, she's going to say a few words about  
8 this. I just advise everybody to limit their  
9 comments to the Draft Scope. Ms. Elkowitz.

10 MS. ELKOWITZ: Good evening, Mr. Supervisor,  
11 Members of the Board. And thank you for asking me  
12 to be here tonight.

13 So the proceeding that you're about to embark  
14 on is really the very beginning of the substantive  
15 review of the potential subdivision and  
16 redevelopment of EPCAL in accordance with the State  
17 Environmental Quality Review Act. And what this  
18 Board has elected to do is to hold a Public Scoping  
19 Meeting.

20 The Board has already prepared a Draft Scope,  
21 and there are copies here tonight, I know, and this  
22 is the Board's preliminary list of issues of what  
23 the Board is going to have evaluated in the Draft  
24 Supplemental Generic Environmental Impact  
25 Statement.

1           So the Board should be commended for getting  
2   the public involved so early.

3           So the purpose of tonight is for you to hear  
4   the comments of the people that are here, orally,  
5   also, if they have written comments. And, as the  
6   Supervisor said, up until July 23rd, they can  
7   submit additional written comments.

8           Now, what the Board has proposed is a very  
9   comprehensive evaluation of this redevelopment  
10   plan. And what you're going to be studying are  
11   various components of the overall subdivision and  
12   redevelopment. As the Supervisor briefly said, the  
13   Board is going to be studying the adoption of a  
14   Reuse and Revitalization Plan for the EPCAL  
15   property. It's going to study an ultimate  
16   amendment to the Town's Comprehensive Plan, so that  
17   it conforms with the reuse plan that you ultimately  
18   adopt.

19          You're also going to be creating a Planned  
20   Development District that will set forth the types  
21   of uses and types of development that the Board  
22   would like to see at EPCAL. Ultimately, you would  
23   rezone the EPCAL property into the Planned  
24   Development District and set forth those  
25   guidelines. And then you would -- ultimately, the



1 Planning Board would approve a subdivision and a  
2 redevelopment of EPCAL in accordance with your  
3 zoning district.

4 Now, the Town should -- everyone here should  
5 be aware that the Town has been working very  
6 closely with the New York State Department of  
7 Environmental Conservation to put forth a  
8 subdivision plan that the DEC could -- thought was  
9 worthy of evaluation and study in the GEIS, and it  
10 shows that there are 50 lots, with the eastern  
11 runway remaining open and operational. And the  
12 subdivision plan includes many components that  
13 would protect the environmental features that not  
14 only the DEC, but many of you and many people in  
15 the public, are concerned about.

16 The plan shows a 1,000-foot radius, protected  
17 radius around all of the wetlands to protect tiger  
18 salamander habitat. It provides approximately 596  
19 acres of grassland for various endangered species.  
20 It preserves a minimum of 59.5% of the overall  
21 site.

22 And the Draft Scope, for those people who  
23 haven't had the opportunity to review it, explains  
24 that the Board will be including a very detailed  
25 project description, everything that they are

1 proposing. And it would study the impacts of its  
2 proposal on land use and zoning, socioeconomics,  
3 community facilities and services, transportation,  
4 air quality, noise, infrastructure, cultural  
5 resources, geology soils and topography, water  
6 quality and hydrology, terrestrial and aquatic  
7 environment, petroleum and hazardous materials.

8 After you do those studies, your GEIS will  
9 also set forth all of those mitigation measures,  
10 like the protection, the preservation of land, to  
11 minimize environmental impacts, and you will also  
12 be studying alternatives.

13 Now, with respect to procedure, after the  
14 comment period on the Draft Scope closes on July  
15 23rd, the SEQRA regulations require that the Town  
16 Board look at all the comments that it receives and  
17 then promulgate a final scope, and that final scope  
18 is going to dictate everything that has to be  
19 studied in the Generic Environmental Impact  
20 Statement.

21 So, as far as the SEQRA process goes, after  
22 you promulgate this final scope, the GEIS is  
23 prepared. Once the Town Board finds that that GEIS  
24 is complete and adequate, meaning it addresses  
25 everything in the final scope, the Town Board will

1 also put that out for public comment and you'll  
2 hold a Public Hearing on it. So then the public  
3 will be able to come in and comment on the things  
4 you're proposing, the zoning district you're  
5 proposing, the uses that you ultimately decide to  
6 propose, as well as all the analyses in there.

7 After that public comment period on the  
8 substance of the matter and the substance of the  
9 GEIS is concluded, the Town Board will prepare a  
10 Final Supplemental Generic Environmental Impact  
11 Statement, responding to any comments that the  
12 public makes, and also making any changes that you  
13 deem necessary to your proposal based on those  
14 comments or the comments of involved agencies.

15 Now, I know that the Town Board has already  
16 received some comments on the Draft Scope,  
17 specifically from the DEC, from the Central Pine  
18 Barrens Joint Planning and Policy Commission, from  
19 the Suffolk County Department of Health Services,  
20 from the Suffolk County Department of Economic  
21 Development and Planning, from the New York State  
22 Department of Transportation, and from the  
23 Manorville Fire District.

24 You also received correspondence from Counsel  
25 to the Wading River Fire District, although that

1 letter did not really comment on the Draft Scope,  
2 it's solely related to your Lead Agency  
3 coordination.

4 So, Mr. Supervisor, at this point, I would  
5 recommend, unless you or the Board has specific  
6 questions of me on the process, that you open up  
7 the hearing to comments on the Draft Scope.

8 SUPERVISOR WALTER: All right. Let's open up  
9 the hearing to comments. Who's first? Yes, sir.  
10 If you could just state your name and affiliation  
11 for the record.

12 MR. DELUCA: Thank you. Good evening. My  
13 name is Bob DeLuca, and I serve as President of  
14 Group for the East End. And I realize I stood in  
15 the opportune spot tonight, so I could get up here  
16 first, and, as a result, I'll try to be quick.

17 But, first and foremost, I just want to thank  
18 the Board very much for the time its taken to go  
19 through this process. It's a long winding road to,  
20 be sure, but I think we're on the right track.

21 And I also want to thank the Supervisor, as  
22 well as his staff, for the many times that me and  
23 many of my colleagues have asked for information,  
24 wanted to know what was going on, and basically we  
25 had the opportunity to sit down a couple of times

1 and find out where the project was in the interim.

2 So thank you very much for that.

3 And what I'd like to do at this point is  
4 really just add a few ideas for the Draft Scope. I  
5 have -- I have written comments, which I'll hand  
6 up. But, in general, I'd like to offer these  
7 thoughts:

8 First and foremost, we know that this  
9 property as sort of gaining, you know, media  
10 attention for its value for endangered and  
11 threatened species, but it's also a very sensitive  
12 parcel with respect to water quality protection,  
13 groundwater protection, wild scenic and  
14 recreational rivers, and so forth, and I know that  
15 you're going to take a look at all of those issues.  
16 I would ask that you consider kind of a water  
17 quality plan as part of this overall General  
18 Environmental Impact Statement for the following  
19 reason:

20 This document will soon become part of your  
21 Comprehensive Plan, and many of the future actions  
22 approved on this property will have to conform to a  
23 series of recommendations and requirements. The  
24 more that you can get in there about how we're  
25 going to try to manage the water quality, from

1   sewering to septic, to, you know, irrigation, low  
2   flow water. And if you can put that all in one  
3   place at one time, I think it will make subsequent  
4   work on this project much easier. So I'd ask you  
5   to take a look at that.

6           I would also ask you to create a mechanism to  
7   look at traffic over time. One of the things that  
8   often happens in projects like this we get a  
9   certain snapshot of traffic. When we look over our  
10   shoulder at where traffic has been, from my  
11   experience, living in this Town and living on the  
12   North Fork, traffic changes a lot, and sometimes  
13   you don't even know why. So, as part of the  
14   findings of this process, I would ask that the Town  
15   consider an ongoing traffic assessment, which may  
16   help and guide the kinds of projects that you'd  
17   like to see developed over time, and it may change  
18   some of the types of uses.

19           In a park like this, where you may have many  
20   types of uses, you may want to be thinking very  
21   carefully about those which are generating traffic,  
22   those which aren't, and the way to get the best  
23   handle on that is to really sort of commit to  
24   looking over time at what's happening with traffic.  
25   We'd ask you to take a look at that.

1           We know that under the current design, in an  
2   effort to try to preserve much of the important  
3   habitat on this property, as well as the water  
4   recharge areas, development in lots are pushed  
5   toward the north side of the property, and we would  
6   ask that you carefully consider the visual,  
7   potential visual impacts of that.

8           Obviously, there's a lot of concern about how  
9   the roadways look. This is a gateway to our  
10   region, a gateway to the Town, a gateway to the  
11   North Fork, and all that you can do to create a  
12   very attractive corridor would be a great help, as  
13   well as in the design and landscaping of the  
14   projects, you know, that you're going put on the  
15   ground.

16           One of the things that we try to avoid I  
17   think these days is the sort of chockablock  
18   industrial parks that we've seen in the past.  
19   There's a lot of creative things that we can do.  
20   We've spoken with your consultants about this  
21   previously. We hope you would consider that.

22           Along those lines also, the issue of  
23   lighting. The Town has a Dark Skies lighting  
24   provision. I didn't see lighting specifically in  
25   the Draft Environmental Impact -- in the Draft

1 Scope, but if you could take a look at that and  
2 figure out a way to have all of the new projects,  
3 whatever happens there, come into conformity with  
4 your existing law, and you may want to think about  
5 how to get things that are out there now conforming  
6 over time.

7 One of the ideas I had was putting a Business  
8 Improvement District out at EPCAL, and maybe that  
9 would be a way to fund the maintenance and  
10 operations of things over time. Just one way, you  
11 know, to get it done.

12 Conservation Management Plan: We obviously  
13 know an awful lot of time and effort has gone into  
14 trying to protect and preserve the right parts of  
15 this site, the contiguous grasslands, the wetlands,  
16 and so forth. That's going to require a management  
17 plan and a strategy to get it done operationally.  
18 We would certainly offer any expertise and help  
19 that we have to work on that. But we know that the  
20 Town, in its findings on this GEIS, will need to  
21 have a plan that's basically going to be able to be  
22 implemented over time, and that's not always the  
23 easiest thing to do. So, again, we would ask you  
24 to take a careful look at that.

25 With respect to ongoing public input, the



1 current legislation passed in the State of New York  
2 provides for an accelerated approval process in  
3 certain cases where you have your permits in place,  
4 conformity to GEIS. I don't know how this is  
5 anticipated to play out, but I would ask that the  
6 Town at least provide some level of consideration  
7 for public comment like we have now on site plans  
8 and things like this. Good public comment  
9 discourse always makes a better project, and that  
10 doesn't mean necessary that you're stopping a  
11 project or slowing it down. That input's  
12 important, and it's certainly important on a  
13 property of this size and a project of this  
14 magnitude.

15 Just a couple of more. One of the things,  
16 which I was trying to think about how it might  
17 work, is consistency with the GEIS. And I think it  
18 would be helpful for reviewers down the line to  
19 understand how the GEIS factored into the  
20 Comprehensive Plan. And then projects reviewed,  
21 how does that work? In other words, how do we take  
22 the recommendations and findings of this GEIS and  
23 how do we make sure and how does the public have  
24 confidence that those findings are going to be  
25 applied on a project-by-project basis? Whatever

1 that process is, whatever you come up with, it  
2 would be great to have a discussion about that  
3 before, rather than after, the project is done or  
4 on its way.

5 In line with that also, measuring success  
6 over time is going to be important. So it will be  
7 very important for the Town to create a strategy  
8 for how do we know five, ten, twelve years from now  
9 that we've conformed to all of the things that we  
10 had spent several years trying to figure out that  
11 we wanted to do. Whether you have a working group,  
12 or you hire a consultant, or you do it through  
13 Planning staff, measuring the success of the plan  
14 over time is going to be important for everybody,  
15 and I think that's something that you'd want to do,  
16 and this is an opportunity to talk about that.

17 The last two, we always, in a project like  
18 this, look at the issue of will this generate  
19 additional sprawl, other things happening around  
20 it. Please take a careful look at that. This  
21 concept of satellite sprawl or other things popping  
22 up that you didn't expect, take a look at that, see  
23 what the land use is around there. See what  
24 changes you might want to make, or have to make, or  
25 maybe don't have to make, but just make sure that

1 outside the perimeter of the property is as  
2 carefully thought about as inside and you'll  
3 certainly have the best plan.

4 And my last point really would be that in  
5 talking about the preservation of land on this  
6 property, an awful lot of time and energy has gone  
7 into it. I would ask the Town to take a look at  
8 how you want to manage public access over time.  
9 There's risks and benefits. Obviously, it's a  
10 wonderful place for people to experience a part of  
11 nature that is increasingly not here on Long  
12 Island, grasslands, as well as other things. At  
13 the same time, you won't want the place overrun  
14 with people, or you basically negate the very thing  
15 that you've tried to protect, so to the extent that  
16 you can take a look at how you would manage that.  
17 It's also an opportunity for scientific endeavor,  
18 of which there's a great deal of interest.

19 And all of those things really are important  
20 for consideration in a GEIS. At the end of the  
21 day, you'll want to have the full complement of  
22 recommendations, and priorities, and findings that  
23 will guide and lead this project for the next 15 to  
24 20 years.

25 And, as I said before, I'm very happy to see

1 that the project has gone in the direction that it  
2 is. And I thank all of you for your patience and  
3 time, both in listening to me and in going forward  
4 with a project that's very important to this  
5 community. Thanks very much.

6 SUPERVISOR WALTER: Mr. DeLuca, thank you.  
7 Next. Is there anybody else? If you would just  
8 state your name and affiliation for the record.

9 MS. MENDEZ: Yes. Dominique Mendez,  
10 Riverhead Neighborhood Preservation Coalition.

11 EPCAL presents opportunities for jobs,  
12 economic stimulus --

13 SUPERVISOR WALTER: Dominique, can you have  
14 it written, too, so -- written comments, could you  
15 present them afterwards so we have them, if that's  
16 written that you're reading?

17 MS. MENDEZ: Yeah, but I've made a couple of  
18 edits, so I'll get it to you guys tomorrow.

19 SUPERVISOR WALTER: Thank you.

20 MS. MENDEZ: Yeah, I know it will help in  
21 transcription, too, I imagine.

22 SUPERVISOR WALTER: Yes.

23 MS. MENDEZ: In fact, I'll e-mail it to you,  
24 this way you don't have to retype it.

25 MS. WILHELM: Thank you.

1 SUPERVISOR WALTER: That's fine. Thank you.

2 MS. MENDEZ: Sorry. EPCAL presents  
3 opportunities for jobs, economic stimulus and  
4 taxes, if done right. If done right, what's built  
5 there can compliment our economy, our way of life.  
6 If done wrong, it can go far to urbanize this area,  
7 replacing natural vistas with a concrete jungle,  
8 polluting our water, disturbing our wildlife,  
9 creating gridlock, and even costing the taxpayers  
10 money. So we have some concerns.

11 There's a vague description of planned  
12 mixed-use development, and that concerns us. We're  
13 concerned that there could be a substantial amount  
14 of permanent residential units being contemplated.  
15 We suggest, and that's the RNPC Board who recently  
16 met, only seasonal residential be permitted, and  
17 that only retail -- the only retail allowed would  
18 be to support EPCAL employees and visitors; and  
19 that max square footages be calculated, not left  
20 loose and to interpretation, which could, in  
21 effect, allow unlimited amounts and types of  
22 retail.

23 We have concerns that the Town, and obviously  
24 there's a history of this, will give very huge tax  
25 breaks to developers and businesses. But when you

1 combine that with the cost of repairing, building  
2 and maintaining the infrastructure, EPCAL could  
3 become a tax negative for the average resident. We  
4 don't want to be in a situation where taxpayers end  
5 up subsidizing these businesses. In fact, I mean,  
6 I know you guys are a big fan of the idea, and  
7 you're always talking about how you have to attract  
8 more businesses to increase the tax base. We need  
9 to make sure that if we track these businesses, we  
10 are increasing the tax base, and it's not the  
11 taxpayers left holding the bag.

12 So, when conducting this socioeconomic  
13 analysis as part of the DSGEIS, not only the  
14 potential tax revenues, but also the potential tax  
15 breaks must be considered. We didn't notice that  
16 in the DSGEIS. That would give you a more accurate  
17 analysis of the true implications, tax  
18 implications, of development.

19 We have some suggestions. Development that  
20 will compliment our existing economy, not detract  
21 from the rural character of the area, that's  
22 important. We want to be sensitive to water  
23 quality and wildlife issues, and to bring good  
24 paying jobs, and to contribute to the tax base.  
25 That is why we only want the retail to support the

1 EPCAL community. We really don't need more strip  
2 malls there. We don't need big box stores. We've  
3 got enough shopping here. But where we do want  
4 more would be along, you know, of course on Main  
5 Street, or maybe on 58, where it more belongs, not  
6 that you need much more on 58 at this point  
7 probably. We must be getting close to full  
8 build-out there.

9 We want to avoid a situation where the zoning  
10 is so vague as to allow the type of retail for  
11 which a businessman will insist on facing 25. And  
12 then, after you make one exception after another,  
13 we'll have rows of stores, curb cuts and signs  
14 along the stretch of 25. That's why we need  
15 limiting specifics to be codified. We know you've  
16 given us assurances, but just vague assurances  
17 aren't enough.

18 We only want seasonal short-term housing to  
19 support recreational projects that could be built  
20 at the site, not permanent housing that will end up  
21 being a tax negative. After all, this land was  
22 given to the Town for economic development, not  
23 population explosion.

24 Again, we want the type and amount of allowed  
25 residential development, if any, to be explicitly

1 codified and spelled out in the DSGEIS.

2 On Page 4 of the DSGEIS, it says the  
3 description of the proposed planned development,  
4 zoning district, and the specific uses and maximum  
5 potential development that can occur; it talks  
6 about quantifying that. We'd want to know the  
7 minimum and maximum amount of each use and each  
8 zoning use district, as well as the total maximum  
9 allowable. There's a huge difference between 50  
10 seasonal condos as part of an equestrian complex  
11 and 1,000 three-bedroom year-round residences.  
12 Without hard numbers, we can't see -- and hard  
13 descriptions, we can't see how anyone could  
14 reasonably anticipate impacts, which is the whole  
15 point of this.

16 We'd like development to be done in a way  
17 that's sensitive to the fact that this land is in  
18 the Pine Barrens compatible growth area and  
19 directly impacts our water quality. We had some  
20 ideas, minimal land clearing to preserve as much  
21 natural vegetation as possible. Consider allowing  
22 only organic gardening methods, so as not to  
23 introduce more chemicals into groundwater.  
24 Consider requiring indigenous and other  
25 drought-tolerant plants. And consider using



1 pervious surfaces wherever possible, maybe lunch  
2 areas, paths and other areas.

3 We'd also like to see developers proceed in a  
4 way that's sensitive to wildlife. There's such a  
5 thing as S and D shaped turtle-friendly curbs.  
6 This way the turtles can kind of go up and down and  
7 they don't get run over. Minimal fencing, low  
8 speed limits and speed bumps. I know, you know,  
9 when you go to Brookhaven Lab, certainly that's  
10 something they take very seriously over there, and  
11 they watch the speed because the Deer population.  
12 You're probably going to have that issue there in  
13 EPCAL. And minimal and no use of pesticides and  
14 fungicides that poison wildlife, as well as the  
15 water.

16 We believe it's important for you to consider  
17 the aesthetics carefully, and Bob talked about this  
18 a bit. If you do this well, passersby will hardly  
19 know EPCAL is there. How this property is built  
20 out, especially along public routes, could detract  
21 from the existing rural community character and  
22 quality of life or it can compliment it. If you do  
23 it poorly, it will look like Route 25 in Centereach  
24 or Route 58. Keep existing vegetation buffers and  
25 plant natural buffers on generous setbacks from

1 public roadways.

2 We can't forget there's a recreational path,  
3 too, around there. Bikers and walkers shouldn't  
4 have to look at dumpsters and the backs of  
5 buildings. This path should be an incredible asset  
6 to the EPCAL community, as well as the broader  
7 community, but not if it's spoiled by unsightly  
8 development too close to the path.

9 One of the -- oh, and we noticed something on  
10 one of the study maps. It indicated that the  
11 property owners will be maintaining the bike path.  
12 It seems to make more sense to us for the Town to  
13 be responsible for that. Maybe it's funded in part  
14 by the people there. But in order to ensure that  
15 the path is properly taken care of, we would want  
16 and ask that the Town take care of that.

17 The RNPC believes that engaging the public  
18 will result in development that's better for the  
19 overall community, and we anticipate two  
20 opportunities for additional public involvement.  
21 We suggest a Community Advisory Board and public  
22 hearings on project plans. These can be convened  
23 in a very timely fashion. But we believe it's  
24 essential, not only to the community, to involve  
25 the community more in this process.

1           A final concern is the 90-day -- that the  
2   90-day approval will result in a rushed look at  
3   plans, and that there will be such pressure to  
4   approve from a financial and philosophical  
5   perspective, that plans that do not actually meet  
6   the zoning could become approved. We,  
7   unfortunately, think we've seen things like that  
8   happen before. Certainly, it's not just in this  
9   Town that these things happen and other Towns, but  
10  this process, a rushed approval, a 90-day without  
11  public input is really ripe for the escalation of  
12  those sort of things.

13           A Community Advisory Board composed of people  
14  with different points of view than the average  
15  developer, or businessman, or politician could help  
16  avoid rubber stamps and preserve the integrity of  
17  the approval process.

18           We also noticed -- I'd like to mention some  
19  things that were missing or maybe incorrect. On  
20  the DGEIS, there's a list of DEC approvals required  
21  on Page 3, but it fails to list a permit for the  
22  DEC to allow the recreational path.

23           In the market study, you talk -- there's talk  
24  about the agri-business food processing discussion,  
25  and I think it might have been done before J. Kings

1 opened that plant. So what we're suggesting is  
2 that the new business should be incorporated into  
3 the text, because you might be overstating the need  
4 for those sort of facilities if you weren't aware  
5 of that J. Kings facility. And, again, I think  
6 that probably came after they were working on this  
7 study.

8 Discussion of the airport air cargo use  
9 doesn't acknowledge that a referendum on the EPCAL  
10 airport was defeated in 2001. That kind of seems  
11 to be missing from the study, and we thought maybe  
12 that should be reflected.

13 The last thing is I think there may be a  
14 mistake in the market study. On Page 57, it's  
15 under Professional Auto Racing. The heading  
16 states, based on this -- and this is what it says  
17 verbatim. "Based on this information, it is not  
18 recommended that development of a major racing  
19 venue not be pursued for the EPCAL property."  
20 That's a double negative, and in common U.S.  
21 English, that means it's a positive. So the  
22 positive statement would be that RKG recommends the  
23 Town pursues racing. But that completely  
24 contradicts the rationale in the two prior  
25 paragraphs; doesn't really make any logical sense.

1 The only conclusion one can draw from these two  
2 paragraphs is that RKG recommends that the Town not  
3 pursue a racing venue.

4 I know far too well how contradictory  
5 language that found its way into the Wading River  
6 portion of the Master Plan study resulted in zoning  
7 that was in direct opposition to the expressed  
8 desire of the community. And I know far too well  
9 the steep price the community might have to pay for  
10 that confusing contradictory language in the form  
11 of a tourist mall at the end of our historical  
12 corridor and in our quiet town. So, please,  
13 correct that if it's a mistake. If it's not a  
14 mistake, then I respectfully request an explanation  
15 of why those two paragraphs lead you to one  
16 conclusion, and then there's an odd statement that  
17 really says the exact opposite. Does anyone,  
18 since -- you know, maybe Ms. Elkowitz

19 SUPERVISOR WALTER: We're just taking  
20 comment.

21 MS. MENDEZ: Okay. So that would be good to  
22 know. Or, like I said, if it's -- hopefully, it's  
23 a mistake, and that it should definitely be  
24 corrected, because these things can have major  
25 impacts, and we've seen them before and we don't

1 want to see it again.

2 SUPERVISOR WALTER: Okay. Thank you.

3 MS. MENDEZ: Thank you.

4 SUPERVISOR WALTER: Does anybody else wish to  
5 be heard tonight? Yes, sir.

6 MR. DAHLGREN: Hi. My name is Craig. I'm a  
7 new resident to Riverhead. I moved here about a  
8 year ago. I'm just going to kind of speak from the  
9 hip here real quick.

10 SUPERVISOR WALTER: Last name, sir.

11 Dahlgren, Craig Dahlgren.

12 SUPERVISOR WALTER: Spell that.

13 D-A-H-L-G-R-E-N. I moved out here from  
14 Sayville because of the kind of country appeal, the  
15 openness of the space. I understand that the ball  
16 is already in motion with this, and, you know,  
17 there has to be some level where everybody's happy,  
18 you know, people that, you know, want something  
19 built, people that don't. I would just like to hit  
20 on what was said by the previous two speakers about  
21 just doing it in a tasteful manner.

22 You know, where I came from up at that end of  
23 the Island, it's -- you know, you drive down  
24 Sunrise Highway, the Long Island Expressway, it's  
25 really disgusting. It's strip mall central.

1 It's -- there's litter everywhere. It's not  
2 something that you want to have, you know, to the  
3 gateway of the North Fork. It's going to -- you  
4 know, I think it's going to kind of give people a  
5 sour taste as they're, you know, traveling from  
6 up-Island and all of a sudden they start to get to  
7 this, you know, nice beautiful open and it's not  
8 there anymore, you know. So, if we can do it in a  
9 tasteful manner and just kind of, you know, limit  
10 some of the site of it off the roads, and whatnot.

11 Also, I'd like to point out one thing that I  
12 think is a mistake here on the Environmental Impact  
13 Statement on Page 3, Number 10. It says that the  
14 site does hunting, fishing or shellfishing  
15 opportunities presently exist in the project area.  
16 It was marked no. That's incorrect, it's yes.  
17 McKay Pond offers great fishing, which lots of  
18 people -- you know, I see children and everybody  
19 else down there, right, but -- and then also  
20 hunting.

21 The Town holds a lottery every year for  
22 hunting, and I've been part of that. Last year it  
23 was great. I took my girlfriend out, she shot her  
24 first deer in there. So, you know, portions of  
25 this property will affect that opportunity that

1 we've had as -- that privilege that we've had as  
2 Towns residents to hunt in EPCAL. Particularly, I  
3 believe it's the 48th, 49th, 50 marks there on the  
4 eastern side of the eastern runway. If that's  
5 developed, you know, there's a 500-foot rule,  
6 you're not allowed to hunt within 500 feet of a  
7 building, or anything like that. So if all these  
8 buildings start popping up, that's essentially  
9 going to eliminate our privilege that we were given  
10 to hunt in there.

11 The northern side of it along 25 there,  
12 that's something that no one did hunt in, so, you  
13 know, maybe if we could gear the building towards  
14 that side and kind of keep enough open space, that  
15 the other residents of the Town that have other  
16 interests can still use the land, you know, not  
17 essentially get blocked out by it.

18 Traffic is something that I'm concerned with,  
19 also. I live on River Road, literally a few  
20 hundred yards from the site, and it's already bad.  
21 I have people flying down the road at 55, 60 miles  
22 an hour. I can't imagine what a lot of extra  
23 traffic is going to do to the road. Maybe if it  
24 could be geared towards the larger roads, 25A, and  
25 kept off of the secondary roads to the south of the



1 property, I think that might be a good move. There  
2 is less residents on the north side.

3 I guess that's kind of really all I have  
4 about to say right now about it. Those were just a  
5 couple of my concerns, being a new resident of the  
6 Town, being that I moved out here for those  
7 reasons, you know, for, you know, the kind of  
8 appeal of the open space and the countryness of it,  
9 and I'm just afraid that it's going to be taken  
10 away again.

11 You know, it's not easy for me to live here.  
12 I work in Bethpage and I commute there every day.  
13 It would be a whole lot easier for me to live in  
14 Nassau County, and I would just hate to see this  
15 area become Nassau County, because there's not much  
16 of Long Island left that's like this, and I think  
17 we just need to really be careful how we do it.  
18 That's about all I have to say.

19 SUPERVISOR WALTER: Thank you, sir. Next.

20 MR. BARTUNEK: Good evening. George  
21 Bartunek, Baiting Hollow. I am a member of the  
22 Town's Alternative Transportation Advisory  
23 Committee. And these following statements have  
24 been submitted to the Town Clerk in writing, but  
25 I'll read them for the record anyway.

1           The following comments regarding the Draft  
2   Scope of the Draft Environmental Generic  
3   Environmental Impact Statement for the development  
4   of the subdivision plan for EPCAL are submitted on  
5   behalf of the Town's Alternative Transportation  
6   Advisory Committee.

7           Specifically, the first comment, Page 3, as  
8   Dominique Mendez mentioned, the list of agencies to  
9   receive approval from the DEC do not include  
10   application for the nonmotorized recreation path.

11          Page 4, the sixth bullet, there should be a  
12   description of the proposed subdivision, including,  
13   and I'm adding this, including the locations of the  
14   existing nonmotorized recreation path.

15          On Page 5, the land use and zoning section,  
16   add a reference to the requirement of easements for  
17   the existing nonmotorized recreation path across  
18   the proposed subdivision lots.

19          Additionally, any development or proposed  
20   lots that alter the route of the existing  
21   nonmotorized recreation path, or that alters the  
22   ability to used a lined road for this part of the  
23   recreation path should require the Town or the  
24   purchaser of the proposed lot to pay for the  
25   alterations of the path.

1 Under the same section, second paragraph,  
2 third sentence, the DSGEIS will describe and  
3 quantify the areas to be developed with buildings,  
4 parking areas, roadways, walkways with an addition,  
5 the nonmotorized recreation path, etcetera,  
6 continuing with the rest of that part.

7 Page 4, the fourth bullet, add  
8 recommendations for the improvement to the rail  
9 crossing in the entrance to Berman Boulevard for  
10 the proposed future route of the nonmotorized  
11 recreation path in the intersection of the north  
12 entrance to EPCAL for safety reasons,  
13 And the existing location of the -- again, the  
14 recreation path.

15 Page 8, the sixth bullet, include reference  
16 to the use of the existing and future development  
17 of the nonmotorized recreation path.

18 Thank you very much.

19 SUPERVISOR WALTER: Thank you, sir. George,  
20 are you going to submit that written comment?

21 MR. BARTUNEK: It already has been submitted,  
22 e-mail --

23 SUPERVISOR WALTER: Thank you.

24 MR. BARTUNEK: -- to Diane.

25 SUPERVISOR WALTER: Did we say we were taking

1 e-mail.

2 MS. WILHELM: I don't know.

3 SUPERVISOR WALTER: George, you got to put  
4 that in writing. Just drop it, a hard copy,  
5 please. Thank you.

6 Does anybody else wish to be heard? Yes,  
7 sir.

8 MR. FERRIS: Good evening. Tom Ferris,  
9 Northeast Regional Council of Carpenters; 68  
10 Timothy Lane, Jamesport.

11 A lot of people, I understand their concerns  
12 about development, and I, too -- I live out here  
13 and I, too, want it to look nice, but I don't want  
14 to put so many roadblocks that we can't develop  
15 this land.

16 All these guys here, they came out here, some  
17 from Nassau County, Hempstead, all over the place  
18 to try to come out here and at least show a  
19 presence here, that we need jobs, we want jobs, and  
20 we're all for doing it smart. But let's not put so  
21 many roadblocks or detain this thing. Let's get it  
22 on the tax maps and let's get this project going,  
23 as quick as we can anyhow. Thank you.

24 SUPERVISOR WALTER: Thank you, Tom.

25 (Applause)

1 Yes, next.

2 MS. KELLER: Good evening. Georgette Keller,  
3 South Jamesport, and I'm also on the Board of RNPC,  
4 and we've been reviewing these things. So I can  
5 say what Bob DeLuca said, ditto, and Dominique,  
6 ditto, and even the previous gentleman from out in  
7 my neighborhood on Timothy Lane, ditto.

8 We definitely need the jobs. We have a  
9 golden opportunity, we have a clean slate, and I  
10 think it's a wonderful opportunity, and I'm so glad  
11 to see that it's finally moving forward with public  
12 input. And that really is my biggest concern,  
13 because two years ago, you enacted legislation that  
14 included site plan review for public hearings with  
15 the Planning Board. That doesn't include the Town  
16 Board. And it doesn't just affect EPCAL either. I  
17 mean, it came you up now and I noticed it, and I  
18 said, "Hm."

19 And there are other areas where the Town  
20 Board has site plan review. So I'd like to see  
21 that as an impact that's included, that because  
22 you're retaining it, it's not going to the Planning  
23 Board, that that's a negative impact to the  
24 community, to the taxpayers and the residents to be  
25 heard. And I think it can be done within that

1 90-day period, because if we've covered everything  
2 in the GEIS, then, you know, you're just on to that  
3 next step. And if it's a complete application,  
4 there's no reason why a hearing can't be scheduled  
5 immediately to address those things, and anything  
6 that the public wants to have for input.

7 Just one more addition on water protection  
8 and conservation in line with preservation for the  
9 natural surroundings. We have Chapter 73. Of  
10 course, I get to deal with a lot on landmarks; is  
11 that it also calls for the preservation of our  
12 vistas and byways. So I, too, voice that concern  
13 that we refrain from curb cuts. We add buffers so  
14 that, you know, we have the prime opportunity to  
15 show the world really how it should be done and can  
16 be done, so that, you know, everybody wins. A high  
17 tide floats all boats, so it's a win/win situation  
18 for everyone, if it's done right. So this,  
19 unfortunately, is going to have to probably have to  
20 be an arduous process to cover everything.

21 And in that vein, I'd like to see more  
22 delineation of what the percentage is of mixed uses  
23 that will be allowed, because two-thirds of what  
24 we're looking at here is mixed use, part -- you  
25 know the two areas of mixed use. And the impacts

1 change, depending on what those percentages are.  
2 And that within all of that framework, that there  
3 is the limited landscaping to protect water  
4 quality.

5 We know that, you know, the aquifers are  
6 important to us. And that limited landscape  
7 being -- also means limited use of pesticides,  
8 insecticides, and water overall, which is what we  
9 need here on Long Island.

10 So that's it, those are my comments. Thank  
11 you.

12 COUNCILMAN DUNLEAVY: Thank you

13 SUPERVISOR WALTER: Thank you, Georgette.

14 Does anybody else wish to be heard? Yes, sir. If  
15 you'd just state your name, affiliation and hamlet  
16 for the record.

17 MR. FRENCH: Certainly. My name is Robert  
18 French. I'm with the Northeast Regional Council of  
19 Carpenters. I am also a political representative  
20 for that organization.

21 I've met some of you and had the privilege,  
22 and I've yet to meet others. And I look forward to  
23 meeting you, speaking with you, and, hopefully,  
24 working along with you.

25 My concerns with this project and a project

1 of this magnitude, really, I think hits home to  
2 everybody. I've heard a lot of talk about buffers  
3 for turtles and offsets for salamanders. I'd like  
4 to talk about another endangered species here on  
5 Long Island, and that's our youth. I think we've  
6 all read and heard about our youth leaving Long  
7 Island in droves because they don't have the  
8 economic opportunity to live and work here on Long  
9 Island.

10 So I would urge the Town Board of Riverhead  
11 to consider apprenticeship language with a project  
12 of this magnitude. I think it's long overdue.  
13 There are not enough opportunities for our youth  
14 here on Long Island and in Riverhead. Not  
15 everybody can afford to go to college. So I think  
16 apprenticeship is a good alternative for our youth  
17 to prosper here on Long Island, continue to grow  
18 and raise families in Riverhead and other  
19 communities here on Long Island.

20 So, once again, I urge the Town Board to  
21 consider putting apprenticeship language in a  
22 project of this magnitude. Thank you.

23 SUPERVISOR WALTER: Thank you, sir.

24 COUNCILMAN DUNLEAVY: Thank you.

25 (Applause)



1           SUPERVISOR WALTER: Anybody else wish to be  
2 heard on this?

3                               (No Response)

4           Okay. Not seeing anybody, I'm going to close  
5 out the public comment portion and leave it open  
6 for written comment for seven days, and that  
7 written comment has to be received by July 23rd at  
8 12 noon, either postmarked or mailed -- postmarked  
9 mailed and/or hand delivered by 12 noon.

10          There being no other business of the Town  
11 Board, can I get a motion to adjourn?

12          COUNCILMAN DUNLEAVY: I make a motion we  
13 adjourn the Town Board meeting.

14          SUPERVISOR WALTER: All in favor?

15          COUNCILWOMAN GIGLIO: Aye.

16          COUNCILMAN GABRIELSEN: Aye.

17          COUNCILMAN WOOTEN: Aye.

18          COUNCILMAN DUNLEAVY: Aye.

19          SUPERVISOR WALTER: Aye.

20          SUPERVISOR WALTER: Thank you, folks, for  
21 coming.

22                               (End)

23

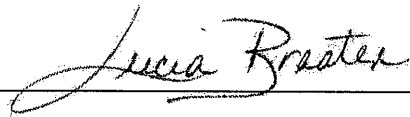
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## C E R T I F I C A T I O N

I, Lucia Braaten, a Court Reporter and Notary Public for the State of New York, certify that the foregoing transcript of the videotaped Riverhead Town Board Meeting of July 16, 2013 was prepared using required electronic transcription equipment, and is a true and accurate record to the best of my ability.

Signature: \_\_\_\_\_



Lucia Braaten

Date: July 29, 2013

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